

REMARKS

This application has been carefully reviewed in light of the Office Action mailed August 24, 2004. A one-month time extension has been requested in which to respond to the Office Action. The specification has been amended. Corrected Figures 6, 7, and 8 are attached hereto. Claims 1, 5 and 7 have been amended. Reconsideration and favorable action in this application is respectfully requested.

An information disclosure statement pursuant to 37 CFR Section 1.97(c) is filed herewith. Entry of the references cited therein is respectfully requested.

Independent Claims 1, 5 and 7 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Croslin in view *Beurket et al.* Claims 1, 5 and 7 have been amended as it is respectfully submitted that these claims are now in condition for allowance.

The present invention relies on a network map for a user-base of the entire Internet. Instead of probing each local name server that is connectable to a mirrored data center, the network map identifies connectivity with respect to a much smaller set of points, referred to in the application as "core" or "common" points. Each set of mirrored data center has an associated map that identifies a set of core points. Core points are identified using an incremental trace route that is executed from each of the set of mirrored data centers to a local name server. An intersection of the trace routes at a common routing point is then identified. The core point discovery process is illustrated in Figure 3. The trace routes are between data centers and local name servers. The core points are the intersection point of a trace route or near or substantially near the intersection point.

Unlike the present invention, the *Croslyn* reference, does not locate intersection points utilizing trace routes performed on the Internet. *Croslyn* builds sub-route tables based upon nodes identified by topology data. Points are identified from these tables, and not a trace route. Applicants submit that an intersection table does not anticipate nor render obvious applicants' invention of utilizing trace routes over the Internet to locate intersection points. It is therefore respectfully submitted that Claims 1, 5 and 7 as amended, are now in condition for allowance.

Claims 2-4, depending from Claim 1; and

Claim 6, depending from Claim 5, further defines present invention and it is respectfully submitted that these claims are also in condition for allowance.

In view of the foregoing reasons, allowance of Claims 1-7 pending in this application is respectfully requested. If the Examiner has any questions regarding this Amendment, the Examiner is respectfully requested to telephone the undersigned attorney for Applicants.

Respectfully submitted,



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FIG. 5

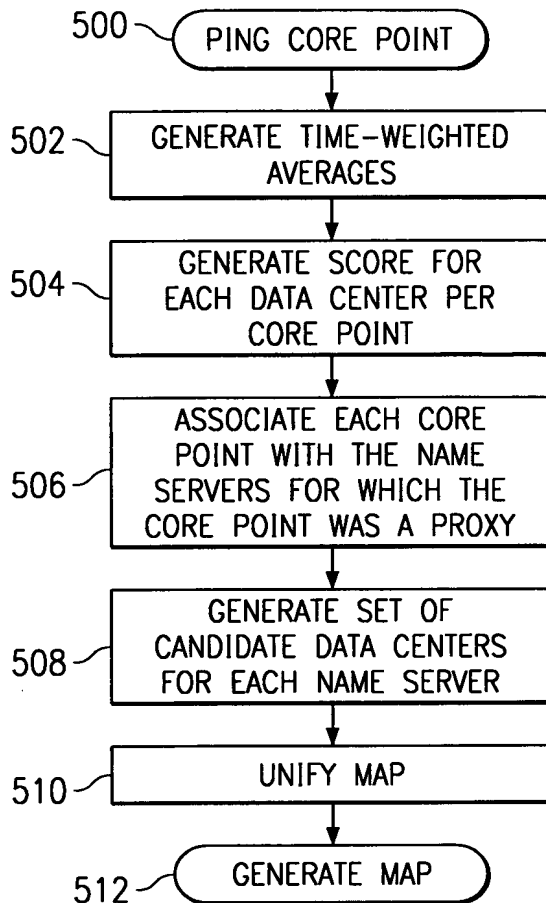
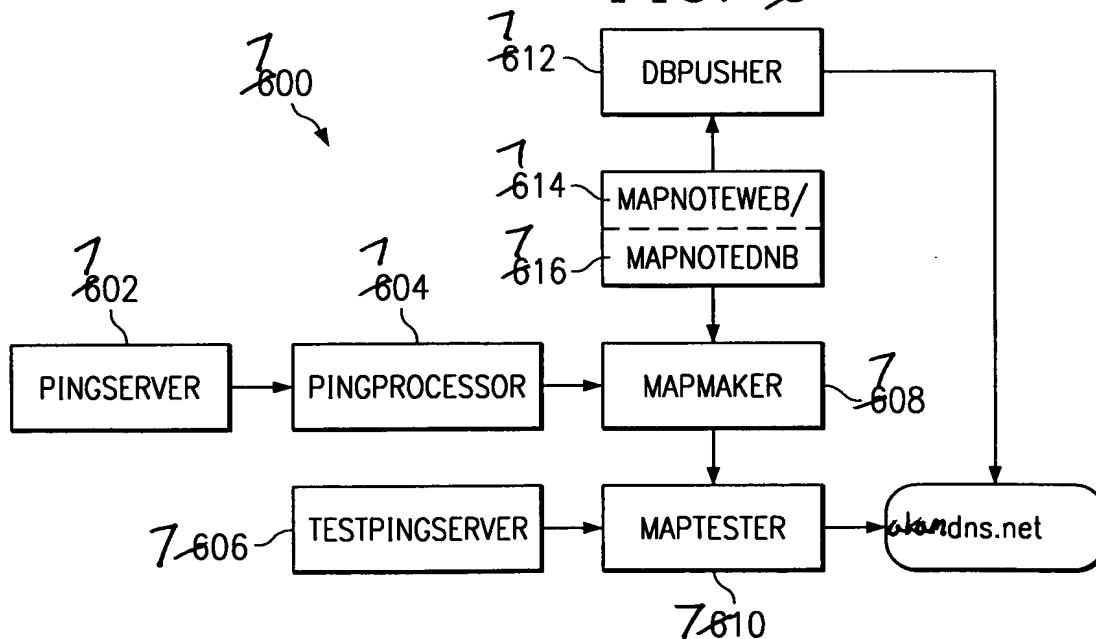


FIG. 6





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ANNOTATED SHEET SHOWING CHANGES

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FIG. 78

Netscape:

MAP: stg-AN-SJC2-1.20000524140438
RESULTS FOR: 216.254.95.2

| | | | |
|-------------|--------------|-----------|-----------------|
| IP Address: | 216.254.95.2 | IP Block: | 216.254.95.2/19 |
| Mapped To: | EK-VAB | Reason: | Ping Data |

Ping Results

| | | | |
|-------------|---------------|------------------------|---|
| Core Point: | 144.232.9.222 | Number of Nameservers: | 1 |
|-------------|---------------|------------------------|---|

| DC | TOTAL SCORE | LAST PINGED | RECENT LATENCY | AVG LATENCY | RECENT LOSS | AVG LOSS |
|----------|-------------|--------------------------|----------------|-------------|-------------|----------|
| EX-VAB | 71 | Wed May 24 14:03:52 2000 | 71 | 71 | 0 | 0.000 |
| FGC-SNV2 | 397 | Wed May 24 14:03:59 2000 | 54 | 27 | 1 | 0.125 |

Ping Results

| | | | |
|-------------|---------------|------------------------|----|
| Core Point: | 144.232.9.225 | Number of Nameservers: | 10 |
|-------------|---------------|------------------------|----|

| DC | TOTAL SCORE | LAST PINGED | RECENT LATENCY | AVG LATENCY | RECENT LOSS | AVG LOSS |
|----------|-------------|--------------------------|----------------|-------------|-------------|----------|
| EX-VAB | 12 | Wed May 24 14:03:52 2000 | 12 | 12 | 0 | 0.000 |
| FGC-SNV2 | 483 | Wed May 24 14:03:59 2000 | 93 | 66 | 1 | 0.129 |

8 sl-bb12-rty-6-0,sprintlink.net(144.232.7.253)2,493 ms
9 sl-bb10-nyc-7-0,sprintlink.net(144.232.9.225)12,189 ms
10 sl-gw9-nyc-8-0,sprintlink.net(144.232.7.94)11,953 ms
11 sl-Intsmapnyc-19-1-0,sprintlink.net(144.232.173.50)8,348 ms
12 border10-fa2-0-fens12-nyc.pnap.net(209.191.128.1.42)9,049 ms
13 spk-l-nyc,dsisp.net(209.191.175.193)19,963 ms
14 nyc.speakeasy.net(216.254.95.2)7,854 ms
DONE!

8 sl-bb12-rty-6-0,sprintlink.net(144.232.9.217)67,454 ms
9 sl-bb10-nyc-7-0,sprintlink.net(144.232.9.225)68,310 ms
10 sl-gw9-nyc-8-0,sprintlink.net(144.232.7.94)68,303 ms
11 sl-Intsmapnyc-19-1-0,sprintlink.net(144.232.173.50)69,474 ms
12 border10-fa2-0-fens12-nyc.pnap.net(209.191.128.1.42)70,119 ms
13 spk-l-nyc,dsisp.net(209.191.175.193)90,627 ms
14 nyc.speakeasy.net(216.254.95.2)68,700 ms
DONE!

Drawings

In the drawings:

Formal drawings were filed on November 30, 2001 in response to a notice to file missing parts. However, upon review of these drawings, several errors have been detected.

Figure 6 is incorrect. A corrected Figure 6 is submitted herewith.

The submitted Figure 7 has been improperly labeled as Figure 7, and should have been Figure 8. A corrected Figure 8 is submitted herewith.

A corrected Figure 7 is also been submitted herewith, which corrects the previously filed Figure 6.

Annotated sheets showing changes to Figures 6 and 7 accompany this amendment, and replacement sheets for Figures 5, 6, 7, and 8 are attached.

The changes made are all consistent with the originally filed informal drawings.